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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,513	11/13/2001	Michael Yeung	66329/07257	4770
23380	7590	12/12/2005	EXAMINER	
TUCKER, ELLIS & WEST LLP 1150 HUNTINGTON BUILDING 925 EUCLID AVENUE CLEVELAND, OH 44115-1475			BLOUNT, STEVEN	
			ART UNIT	PAPER NUMBER
			2668	

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/054,513

Applicant(s)

YEUNG ET AL.

Examiner

Steven Blount

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/13/05 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner. (informal)
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,934,792 to Gubbi.

Gubbi teaches transmitting a request packet, a response packet, and verifying correct transmission in a wireless (802.11) environment. See col 25 lines 35+. Gubbi does not however teach establishing a data buffer file format for the transmission. However, Gubbi does teach the use of an FCS (4), which is similar to the checksum used in a data buffer file format, such that one of ordinary skill in the art would have found it obvious to send the information of Gubbi in a data buffer format in order to insure its error-free/proper passage.

With regard to claim 2 – 4, see the above and note that completion of the transmission is required.

With regard to claim 5, note that the use of a printer would be an obvious application.

3. Claims 6 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,934,792 to Gubbi in view as applied above to claims 1 – 4, and further in view of U.S. patent 6,397,259 to Lincke et al.

Gubbi teaches the invention as described above, but do not teach retaining the input data file at an internet URL. This concept is taught in Lincke et al. See the abstract, col 23, and col 81.

It would have been obvious to one of ordinary skill in the art to have provided the input data file of Gubbi at an internet URL in light of the teachings of Lincke et al in order to provide a means for making the data readily available.

4. Claims 9 – 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over either one of U.S. patent 6,421,716 to Eldridge et al or U.S. patent 6,256,666 to Singhal, in view of U.S. patent 6,952,780 to Olsen.

Both Eldridge et al and Singhal send data wirelessly to a printer. Neither, however, teach the use of a port monitor for opening a wireless port. This is taught in Olsen. See col 8 lines 60+, and note that the purpose of using the port in Olson is for data encryption.

It would have been obvious to one of ordinary skill in the art to have used a wireless port monitor in either one of Eldridge et al or Singhal, in light of the teachings of Olsen et al, in order to encrypt the data to insure its secure transfer.

With regard to claims 9 – 14, note that a printer is disclosed in Olsen, that a spooler is mentioned in col 7 line 20, and that member 102 indicates that voice signals are transferred.

5. Claims 15 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over either one of U.S. patent 6,421,716 to Eldridge et al or U.S. patent 6,256,666 to Singhal,

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in view of U.S. patent 6,952,780 to Olsen as applied above to claims 9 – 14, and further in view of U.S. patent 6,397,259 to Lincke et al.

Eldridge et al or Singhal/Olsen teach the invention as described above, but do not teach the use of a URL for downloading data. This is taught in Lincke et al, as noted above. It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided Eldridge et al or Singhal/Olsen with a URL for transmitting data in light of the teachings of Lincke et al in order that data from a wide variety of sources may be transmitted.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Blount whose telephone number is 571 - 272 - 3071. The examiner can normally be reached on M-F 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Chau Nguyen, can be reached on 571 – 272 - 3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ajit Patel
Primary Examiner

SB



12/04/2005